

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

DAVID PAKTER,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION f/k/a BOARD OF EDUCATION OF  
THE CITY SCHOOL DISTRICT OF NEW YORK;  
and JOEL I KLEIN, as Chancellor of the CITY  
SCHOOL DISTRICT OF THE CITY OF NEW  
YORK,

**NOTICE OF MOTION  
FOR SANCTIONS  
PURSUANT TO 28  
U.S.C. § 1927**

08-CV-7673 (DAB)(KNF)

Defendants.

----- X

**PLEASE TAKE NOTICE** that upon the accompanying Declaration of Larry R. Martinez, dated April 20, 2010, the City Defendants' Memorandum of Law in Support of their Motion to for Sanctions Pursuant to 28 U.S.C. § 1927, dated April 20, 2010, and all papers and proceedings heretofore had herein, attorney for City defendants the New York City Board of Education ( "DOE") and Joel I. Klein, as Chancellor of the New York City Board of Education, Dr. Audrey Jacobson, Judith Rivera, Michael LaForgia, Philip Crowe, Sonia Stewart, Alexis Penzell, Madeline Appell, Mary Ann Geist - Deninno, John Lachky, Hilda Nieto, Giovanni Raschilla, Dr. Ann Garner, Dr. Eliane Meyer and Harold Mason (collectively "City Defendants") in this action, will move this Court, before the Honorable Kevin Nathaniel Fox, United States Magistrate Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, for an Order pursuant to 28 U.S.C. § 1927 "setting forth the excess costs, expenses and attorneys' fees reasonably incurred because of the plaintiff's

counsel,” Joy Hochstadt’s conduct and for such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE THAT**, pursuant to the Order of the Honorable Kevin Nathaniel Fox, dated April 5, 2010, answering papers, if any, must be served upon the undersigned on or before May 5, 2010, and reply papers, if any, will be served upon the plaintiff on or before May 10, 2010.

Dated: New York, New York  
April 14, 2010

**MICHAEL A. CARDOZO**  
Corporation Counsel of the  
City of New York  
Attorney for Defendants  
100 Church Street, Room 2-314  
New York, New York 10007  
(212) 227-3153  
[lmartine@law.nyc.gov](mailto:lmartine@law.nyc.gov)

By: ECF /s/  
Larry R. Martinez  
Assistant Corporation Counsel

TO: **JOY HOCHSTADT, ESQ.**  
Attorney for Plaintiff  
3000 Central Park West, Suite 2E  
New York, New York 10024  
(212) 580-9930